

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

JESSE M. SKINNER

PETITIONER

VS.

CRIMINAL NO. 1:02-cr-93(DCB)  
CIVIL NO. 1:17-cv-151(DCB)

UNITED STATES OF AMERICA

RESPONDENT

FINAL JUDGMENT

This cause having come before the Court on petitioner Jesse M. Skinner's Motion to Vacate or Set Aside the Petitioner's Sentence Pursuant to 28 U.S.C. § 2255 (docket entry 269) and Motion to Voluntarily Dismiss said Motion without Prejudice (docket entry 278), and the Court having denied said motions in an Order of even date herewith, finds that this civil action should be finally dismissed with prejudice;

Pursuant to Federal Rule of Appellate Procedure 22(b), Rule 11(a) of the Rules Governing §§ 2254 and 2255 proceedings, and 28 U.S.C. § 2253(c), the Court further finds that the petitioner has failed to show:

- (1) that reasonable jurists would find this Court's "assessment of the constitutional claims debatable or wrong," or
- (2) that reasonable jurists would find "it debatable whether the petition states a valid claim of the denial of a constitutional right" and "debatable whether [this Court] was correct in its

procedural ruling." Slack v. McDaniel, 529 U.S. 473, 484 (2000).<sup>1</sup>

The Court therefore denies a certificate of appealability.

IT IS, THEREFORE, ORDERED AND ADJUDGED that petitioner Jesse M. Skinner's Motion Under 28 U.S.C. § 2255 to Vacate Sentence is DISMISSED WITH PREJUDICE. The Clerk of Court shall close cause number 1:17-cv-151.

FURTHER ORDERED AND ADJUDGED that a certificate of appealability is DENIED.

SO ORDERED AND ADJUDGED, this the 23rd day of January, 2018.

/s/ David Bramlette  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Rule 11 of the Rules Governing §§ 2254 and 2255 Cases, as amended effective on December 1, 2009, reads as follows:

(a) Certificate of Appealability. The district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant.